

**FILED - MQ**

July 29, 2022 10:24 AM

CLERK OF COURT

U.S. DISTRICT COURT

WESTERN DISTRICT OF MICHIGAN

BY: mic SCANNED BY: *Maarten*

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
NORTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

GARDEN BAY FISHERIES, LLC,  
JAMES P. HERMES, and  
MICHAEL J. HERMES,

Defendants.

**2:22-cr-14**

Robert J. Jonker - U.S. District Judge  
Maarten Vermaat - Magistrate Judge

**FELONY INFORMATION**

The United States Attorney charges:

**COUNT 1**

(Felony)

(False Labeling of Fish)

Between about March 17, 2017, and about September 23, 2017, in the Northern Division  
of the Western District of Michigan, the defendant,

**GARDEN BAY FISHERIES, LLC,**

through its employees and agents who were acting on behalf of the company and within the  
scope of their employment, knowingly made and submitted a false record with respect to fish  
with a market value in excess of \$350.00, that were purchased by defendant and transported in  
interstate commerce.

**16 U.S.C. § 3372(d)(2)**

**16 U.S.C. § 3373(d)(3)(A)(ii)**

**COUNT 2**  
(Misdemeanor)  
(Selling Contraband Fish)

Between about March 17, 2017, and about September 23, 2017, in the Northern Division  
of the Western District of Michigan, the defendant,

**JAMES P. HERMES,**

knowingly sold fish in interstate commerce, and in the exercise of due care should have  
known that the fish had been possessed in violation of Michigan state law, that is, Mich.

Comp. Laws § 324.47319(3).

**16 U.S.C. § 3372(a)(2)(A)**

**16 U.S.C. § 3373(d)(2)**

**COUNT 3**  
(Misdemeanor)  
(Selling Contraband Fish)

Between about March 17, 2017, and about September 23, 2017, in the Western District of Michigan, Northern Division, the defendant,

**MICHAEL J. HERMES,**

knowingly sold fish in interstate commerce, and in the exercise of due care should have known that the fish had been possessed in violation of Michigan state law, that is, Mich.

Comp. Laws § 324.47319(3).

**16 U.S.C. § 3372(a)(2)(A)**

**16 U.S.C. § 3373(d)(2)**

MARK A. TOTTEN  
United States Attorney

Date: July 29, 2022

/s/ Paul D. Lochner  
PAUL D. LOCHNER  
Assistant United States Attorney

TODD KIM  
Assistant Attorney General  
Environment and  
Natural Resources Division

Date: July 29, 2022

/s/ Joel LaBissonniere  
JOEL LABISSONNIERE  
Trial Attorney